

Sherman.

Absent: Creighton, Harris and Moore.

Absent-excused: Snelson.

MEMORIAL RESOLUTIONS

S.C.R. 40 - By Senator Herring: Memorial resolution for James M. Clay.

S.C.R. 41 - By Senators Hightower and Creighton: Memorial resolution for Charles P. McGaha.

WELCOME RESOLUTIONS

S.R. 144 - By Senator Aikin: Extending welcome to Dr. James A. Turman.

S.R. 145 - By Senator Herring: Extending welcome to students from St. Elmo Elementary School.

ADJOURNMENT

On motion of Senator Aikin the Senate at 12:27 o'clock p.m. adjourned until 10:30 o'clock a.m. tomorrow.

APPENDIX

Sent to Governor

February 19, 1973

S.C.R. 6
S.C.R. 9
S.C.R. 12

TWENTY-THIRD DAY (Tuesday, February 20, 1973)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present: Adams, Aikin, Andujar, Blanchard, Braecklein, Brooks, Clower, Creighton, Gammage, Harrington, Harris, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, McKnight, Meier, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

Absent-excused: McKinnon and Mengden.

A quorum was announced present.

The Reverend Felix Kindel, First United Methodist Church, Paris, Texas,

offered the invocation.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

LEAVES OF ABSENCE

Senator McKinnon was granted leave of absence for today on account of important business on motion of Senator Wolff.

Senator Mengden was granted leave of absence for today on account of illness on motion of Senator Harris.

REPORTS OF STANDING COMMITTEES

Senator Brooks submitted the following reports for the Committee on Human Resources:

S.B. 116
S.B. 156
C.S.S.B. 219 (Read first time)

Senator Moore submitted the following reports for the Committee on State Affairs:

S.B. 188
S.J.R. 12 (Amended)
S.B. 67
C.S.S.B. 105 (Read first time)
C.S.S.B. 153 (Read first time)

Senator Aikin submitted the following report for the Committee on Finance:

S.B. 236

Senator Hightower submitted the following reports for the Committee on Administration:

H.C.R. 35
S.C.R. 35
S.C.R. 20
H.B. 5

Senator Wallace submitted the following reports for the Committee on Intergovernmental Relations:

H.B. 82
S.B. 166
S.B. 103
S.B. 143 (Amended)

MESSAGE FROM GOVERNOR

The following message from the Governor was read and referred to the Committee indicated:

Austin, Texas
January 23, 1973

TO THE SENATE OF THE SIXTY-THIRD LEGISLATURE, REGULAR SESSION:

I ask the advice, consent and confirmation of the Senate with respect to the following appointment:

To be Pecos River Compact Commissioner: For a two-year term to expire January 23, 1975: Mr. R. B. McGowen, Jr., of Pecos, Reeves County, for reappointment.

Respectfully submitted,
DOLPH BRISCOE
Governor of Texas

To Committee on State Affairs, Sub-Committee on Nominations.

SENATE BILLS AND RESOLUTION ON FIRST READING

The following bills and resolution were introduced, read first time and referred to the Committee indicated:

By Senator Ogg:

S.B. 312, A bill to be entitled An Act relating to the sale or dispensing of drugs on the premises of a convalescent or nursing home; amending Chapter 413, Acts of the 53rd Legislature, Regular Session, 1953, as amended (Article 4442c, Vernon's Texas Civil Statutes), by adding Section 7a; and declaring an emergency.

To Committee on State Affairs.

By Senator Harris:

S.B. 313, A bill to be entitled An Act relating to certain reports by the comptroller to cities imposing the city sales and use tax; providing for lists of delinquent taxpayers; providing for lists of taxpayers not included in reports; amending Section 5, Chapter 36, Acts of the 60th Legislature, Regular Session, 1967, as amended (Article 1066c, Vernon's Texas Civil Statutes); providing for an effective date; and declaring an emergency.

To Committee on State Affairs.

By Senator Harris:

S.B. 314, A bill to be entitled An Act relating to delinquent sales and use taxes and their collection under the Local Sales and Use Tax Act; amending Section 12, Chapter 36, Acts of the 60th Legislature, Regular Session, 1967 (Article 1066c, Vernon's Texas Civil Statutes); providing an effective date; and declaring an emergency.

To Committee on State Affairs.

By Senator Clower:

S.B. 315, A bill to be entitled An Act authorizing warrants of certain magistrates to extend to every part of the state; amending Articles 15.06, 15.07, and 15.08, Code of Criminal Procedure, 1965; and declaring an emergency.

To Committee on Jurisprudence.

By Senator Clower:

S.B. 316, A bill to be entitled An Act relating to presidential preference primaries and selection of delegates to national political conventions; amending the Texas Election Code as follows: adding Sections 236a and 236b, and amending Subsection (a), Section 235, as amended (Article 13.58, Vernon's Texas Election Code); and declaring an emergency.

To Committee on State Affairs.

By Senator Moore:

S.B. 317, A bill to be entitled An Act relating to the appointment of a deputy district attorney for the 12th Judicial District; and declaring an emergency.

To Committee on State Affairs.

By Senator Mengden:

S.B. 318, A bill to be entitled An Act relating to the penalty for obtaining or aiding in obtaining welfare benefits by fraudulent means; amending Section 34, Chapter 1, General Laws, page 544, Acts of the 46th Legislature, 1939 (Article 695c, Vernon's Texas Civil Statutes); and declaring an emergency.

To Committee on State Affairs.

By Senator Mengden:

S.B. 319, A bill to be entitled An Act authorizing the appointment of a custodian for a child for whose benefit certain welfare payments are made if the payments are not used for the benefit of the child or if the child is subjected to immoral surroundings; providing that certain welfare payments may be made for the benefit of certain adopted children; amending Chapter 1, page 544, General Laws, Acts of the 46th Legislature, 1939, as amended (Article 695c, Vernon's Texas Civil Statutes), by adding Sections 40-A and 17-B; and declaring an emergency.

To Committee on State Affairs.

By Senator Mengden:

S.B. 320, A bill to be entitled An Act establishing public assistance payments as claims in favor of the state and providing for liens to secure the payment thereof; providing for an effective date; and declaring an emergency.

To Committee on State Affairs.

By Senators Gammage and Brooks:

S.B. 321, A bill to be entitled An Act relating to the election of the city council in certain cities; and declaring an emergency.

To Committee on Intergovernmental Relations.

By Senators Gammage, Brooks and Wallace:

S.B. 322, A bill to be entitled An Act relating to the membership of the Texas State Board of Plumbing Examiners and to the regulation of those in the plumbing business; amending the Plumbing License Law of 1947 (Article 6243-101, Vernon's Texas Civil Statutes), by adding Section 4a and Section 14a; amending Article 122, Penal Code of Texas, 1925, as amended; providing penalties; and declaring an emergency.

To Committee on State Affairs.

By Senator Brooks:

S.B. 323, A bill to be entitled An Act providing for the regulation of the practice of dental technology; and declaring an emergency.

To Committee on Human Resources.

By Senator Gammage:

S.B. 324, A bill to be entitled An Act providing for the payment by counties of rewards to persons who contribute evidence leading to conviction for violation of criminal laws prohibiting pollution of air, water and land, disqualifying certain public employees from eligibility for such rewards, authorizing commissioners courts of counties to enter orders providing for such rewards, providing procedure for claiming and collecting such rewards, providing a means of proving the claim for such rewards, providing that such rewards will not exceed amounts of fines paid on convictions leading to such rewards, providing a severability clause, declaring an emergency, and providing for other matters related to the subject matter of the Act.

To Committee on Intergovernmental Relations.

By Senators Gammage and Brooks:

S.B. 325, A bill to be entitled An Act creating a court to be called the Harris County Court of Environmental and Ecological Law, providing for a judge of said court, fixing his qualifications and providing for his selection and compensation, establishing jurisdiction of said court, providing for the transfer of cases to and from said court, providing for situations when the judge of said court is disqualified or unable to serve, providing that the jurisdiction of said court shall be concurrent with, and shall not diminish the jurisdiction of certain other courts, providing that said court shall be a court of record, providing for the maintaining of its records, fixing the term of office of the judge of said court, providing for the removal of the judge of said court, providing for the filling of office of judge of said court, in the event of vacancies, providing for appeals from said court, providing for procedure in such court, providing for a court reporter and bailiff for said court, providing for the issuance of writs and processes out of said court, providing for continuous term of said court, repealing inconsistent laws, providing a severability clause, declaring an emergency, and making other provisions relating to the subject matter.

To Committee on Jurisprudence.

By Senator Clower:

S.B. 326, A bill to be entitled An Act to regulate the reclamation of lands disturbed by surface mining operations; providing penalties; specifying the applicability of the Act and the cumulative effect of the provisions of the Act on existing laws of the State; providing an effective date; and declaring an emergency.

To Committee on Natural Resources.

By Senators Schwartz and Harrington:

S.B. 327, A bill to be entitled An Act relating to the function, powers and duties of the Texas Coastal and Marine Council; amending Sections 1 and 3, Chapter 279, Acts of the 62nd Legislature, Regular Session, 1971; and declaring an emergency.

To Committee on Intergovernmental Relations.

By Senator Schwartz:

S.B. 328, A bill to be entitled An Act relating to the appointment and bond of directors of the Brazos River Authority; amending Section 6, Chapter 13, Special Laws, Acts of the 41st Legislature, 2nd Called Session, 1929, as amended (Article 8280-101, Vernon's Texas Civil Statutes); and declaring an emergency.

To Committee on State Affairs.

By Senators Schwartz, Mauzy and Harrington:

S.B. 330, A bill to be entitled An Act creating a Department of Labor Relations, transferring and vesting in it certain powers and duties of the Commissioner of Labor Statistics and the Bureau of Labor Statistics and providing additional powers and duties; transferring certain other duties and powers of the Commissioner and Bureau of Labor Statistics to the Secretary of Agriculture and Department of Public Safety; repealing conflicting laws; providing severability; and declaring an emergency.

To Committee on State Affairs.

By Senator Schwartz:

S.B. 331, A bill to be entitled An Act relating to regulation of the sale of subdivided land in any county bordering on the Gulf of Mexico, providing a penalty; and declaring an emergency.

To Committee on State Affairs.

By Senators Schwartz, Santiesteban and Gammage.

S.J.R. 15, Proposing an amendment to Article III, Section 47, of the Texas Constitution, to provide that the legislature may allow certain lotteries and gift enterprises conducted for nonprofit charitable organizations.

To Committee on State Affairs.

SENATE RESOLUTION 153

Senator Clower offered the following resolution:

WHEREAS, Citizens of Texas and Members of the Texas Senate are extremely proud of Miss Debbie Ploch of Dallas who is the reigning Maid of Cotton; and

WHEREAS, Born in San Antonio, Miss Ploch attended schools there and in Dallas before continuing her education at The University of Texas at Austin, where she is a junior majoring in English; and

WHEREAS, This lovely young lady started her climb to fame as the candidate of Kappa Alpha Theta sorority in the annual contest in Memphis, Tennessee, to crown the Maid of Cotton; and

WHEREAS, On December 28, 1972, Miss Debbie Ploch was crowned Maid of Cotton, a position she will hold for the next year as the representative of the cotton industry of the nation; and

WHEREAS, Miss Ploch has long shown the many fine qualities and attributes which enabled her to compete with young ladies from all of the cotton-producing states; throughout her school years, she has consistently been a class favorite and leader; and

WHEREAS, She was also recently selected as the third runner-up in the Miss Texas Universe contest; and

WHEREAS, Through her achievements and ability, Miss Debbie Ploch has contributed greatly to the reputation of the State of Texas and has been, and will continue to be, a magnificent representative of the citizens of her state; and

WHEREAS, The Texas Senate wishes to congratulate Miss Debbie Ploch upon the recognition she has received by being crowned Maid of Cotton, commend her for the great credit she has brought to the State of Texas, and wish her a happy and most rewarding reign as Maid of Cotton; now, therefore, be it

RESOLVED by the Senate of the 63rd Legislature, That Miss Debbie Ploch be and is hereby congratulated for her achievements, commended for her actions in the best interest of the State of Texas, and wished the happiest and most rewarding reign possible; and, be it further

RESOLVED, That an official copy of this Resolution be prepared for Miss Ploch as an expression of the pride of the Texas Senate in this Texas beauty.

The resolution was read and was adopted.

The President announced the appointment of the following Committee to escort Miss Ploch to the Speaker's Platform: Senators Clower, Harris, Mauzy, and Braecklein.

Senator Clower introduced Miss Ploch who addressed the Senate.

SENATE CONCURRENT RESOLUTION 42

Senator Brooks offered the following resolution:

S.C.R. 42, Authorizing Texas Library and Historical Survey Association to loan a portrait of Jesse H. Jones to Museum at Washington-on-the-Brazos restoration.

The Resolution was read.

On motion of Senator Ogg and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Brooks, the resolution was adopted.

**COMMUNICATION FROM MRS. HARRY S. TRUMAN
ORDERED PRINTED IN THE SENATE JOURNAL**

On motion of Senator Clower and by unanimous consent, a communication from Mrs. Harry S. Truman was read and was ordered printed in the Senate Journal.

**Communication From
Mrs. Harry S. Truman**

February 13, 1973

Dear Senator Clower:

I deeply appreciate the Resolution adopted by the Senate of the State of Texas in memory of my husband.

I wish to thank each of the members for the kind sentiments and generous comments contained in the Resolution.

Sincerely,

BESS L. TRUMAN

Honorable Ron Clower
State Senator, District 9
The Senate of the State of Texas
Austin, Texas 78711

HOUSE CONCURRENT RESOLUTION 35 ORDERED PRINTED

On motion of Senator Herring and by unanimous consent, H.C.R. 35 was ordered printed in the Senate Journal.

HOUSE BILL 185 RE-REFERRED

On motion of Senator Wallace and by unanimous consent, H.B. 185 was withdrawn from the Committee on Intergovernmental Relations and re-referred to the Committee on State Affairs.

SENATE BILL 57 ON SECOND READING

On motion of Senator Schwartz and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 57, A bill to be entitled An Act relating to the authority of an insurer to disclaim coverage under a policy of liability insurance for failure of the insured to forward the citation and petition or complaint giving notice of a suit against the insured; amending the Texas Insurance Code, as amended, by adding Article 5.06-6; and declaring an emergency.

The bill was read second time and was passed to engrossment.

SENATE BILL 57 ON THIRD READING

Senator Schwartz moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that S.B. 57 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 1.

Yeas: Adams, Aikin, Andujar, Blanchard, Braecklein, Brooks, Clower, Creighton, Gammage, Harrington, Harris, Herring, Hightower, Kothmann, Longoria, Mauzy, McKnight, Meier, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

Nays: Jones.

Absent-excused: McKinnon and Mengden.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 0.

Yeas: Adams, Aikin, Andujar, Blanchard, Braecklein, Brooks, Clower, Creighton, Gammage, Harrington, Harris, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, McKnight, Meier, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

Absent-excused: McKinnon and Mengden.

SENATE BILL 142 ON SECOND READING

On motion of Senator Snelson and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

S.B. 142, A bill to be entitled An Act authorizing the Texas Highway Department to issue special permits for the movement of unladen lift equipment motor vehicles exceeding certain weight and length limitations; and declaring an emergency.

The bill was read second time and was passed to engrossment.

SENATE BILL 142 ON THIRD READING

Senator Snelson moved that the Constitutional Rule and Senate Rule 68 requiring bills to be read on three several days be suspended and that S.B. 142 be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 1.

Yeas: Adams, Aikin, Andujar, Blanchard, Braecklein, Brooks, Clower, Creighton, Gammage, Harrington, Harris, Herring, Hightower, Kothmann, Longoria, Mauzy, McKnight, Meier, Moore, Ogg, Patman, Santiesteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

Nays: Jones.

Absent-excused: McKinnon and Mengden.

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 0.

Yeas: Adams, Aikin, Andujar, Blanchard, Braecklein, Brooks, Clower, Creighton, Gammage, Harrington, Harris, Herring, Hightower, Jones, Kothmann, Longoria, Mauzy, McKnight, Meier, Moore, Ogg, Patman, Santicsteban, Schwartz, Sherman, Snelson, Traeger, Wallace and Wolff.

Absent-excused: McKinnon and Mengden.

MEMORIAL RESOLUTIONS

S.R. 156 - By Senator Moore: Memorial resolution for Cayce W. Moore.

S.R. 157 - By Senator Snelson: Memorial resolution for Judge Felix McGaughy.

S.R. 158 - By Senator Snelson: Memorial resolution for Mrs. Alice M. Neill.

S.R. 159 - By Senator Snelson: Memorial resolution for Charles Stewart.

S.R. 160 - By Senator Snelson: Memorial resolution for Archie Floyd Brownlee.

S.R. 161 - By Senators Schwartz and Herring: Memorial resolution for Herbert O. Paul.

WELCOME AND CONGRATULATORY RESOLUTIONS

S.R. 147 - By Senator Wolff: Extending welcome to class from Burbank High School, San Antonio.

S.R. 148 - By Senator Wolff: Extending welcome to class from Ursuline Academy, San Antonio.

S.R. 149 - By Senator Adams: Extending welcome to Paul Georgas and Billy Barclay.

S.R. 150 - By Senator Aikin: Extending welcome to Reverend R. Kindel.

S.R. 151 - By Senator Schwartz: Extending congratulations to Theodore Freedman.

S.R. 152 - By Senator Aikin: Extending congratulations to Sergeant Everett Nelson Brandon.

S.R. 154 - By Senator Clower: Extending welcome to Mr. and Mrs. Hal Ploch, et al.

S.R. 155 - By Senator Ogg: Extending welcome to Joe O'Connor.

ADJOURNMENT

On motion of Senator Aikin the Senate at 11:25 o'clock a.m. adjourned until 10:30 o'clock a.m. tomorrow.

In Memory of**President Lyndon Baines Johnson**

The President laid before the Senate the following resolution:

(House Concurrent Resolution 35)

WHEREAS, A Life which was devoted to Honour and its Country, is no longer ours.

With the death of President Lyndon Baines Johnson on January 22, 1973, Texas and the Nation lost one of their most distinguished sons and the World one of its greatest leaders. The loss is felt across the "flaming ramparts of the world."

Who can look back upon the public services and exalted virtues of the deceased, without exclaiming in the anguish of despair . . . "Is he, too, numbered among the silent dead"? He who bore the anguish and travails of a war against aggression, to which he succeeded, is gone to the realms of eternal peace; and

WHEREAS, History already has built around him a name and a fame that will light the pathway of generations yet unborn for centuries to come. Patriotism and admiration will not let us forget his mighty stroke of compassion for his fellowman and his unswerving devotion to duty. His talents were employed on the side of righteousness and at whose approach oppressed humanity felt a secret rapture. It was thus that he sometimes soared so high and shone with a radiance so transcendent "as filled those around him with awe and gave to him the force and authority of a prophet." President Johnson lived a life characterized by splendid manhood - crowded with deeds and crowned with honours. He was superb in his effort to attain the goals to which he aspired. His actions vitalized the principle that "they fail, and they alone, who have not striven"; and

WHEREAS, This tall Texan - large as Texas, herself - a son of the picturesque and enchanting vistas of the Hill Country, which he dearly loved, coursed by the cool, clear waters of the meandering Pedernales River, inspired by the rugged land from which he sprang and in which his roots were laid deep, rose to the pinnacle of world fame upon the precepts and examples taught and set by his fond and loving mother, Mrs. Rebekah Baines Johnson, and his distinguished father, Honorable Sam Ealy Johnson, Jr. with encouragement from his loyal helpmeet of 38 years, the lovely "Lady Bird" Johnson; and

WHEREAS, Following his graduation from Southwest Texas State Teachers College, now Southwest Texas State University, at San Marcos in February, 1927, he taught school at Cotulla, Texas, before becoming an aide to the late Honorable Richard M. Kleberg, Sr., then United States Representative from Kingsville, thereby launching a public and political career spanning nearly 40 years of continuous, constructive service to his country and to the world. After serving as Director of the National Youth Administration in 1935, he was elected to the United State House of Representatives in 1937, in which he served with dedication to the ideals of his friend, President Franklin D. Roosevelt. Following a period of "seasoning" in the House, under the leadership of Speaker Rayburn, familiarly known as "Mr. Sam", with an interlude of courageous service in the United States Navy during World War II, he was elected to the United States Senate in 1948. By dint of hard work, coupled with his innate ability, his training, his skills and energy, he became the Majority Whip in 1950. Senator Johnson was chosen as Majority Leader in 1953, in which capacity he distinguished himself and demonstrated his dynamic

leadership with his policy of "reasoning" together. He was called the "most powerful man" in America, as he guided the Democratic - controlled United States Senate through a period of responsible cooperation with the Republican administration of President Eisenhower. It has been said that "Johnson was the Senate and the Senate was Johnson"; and

WHEREAS, With his acceptance of the nomination of his Party and his election to the Vice Presidency in 1960, Mr. Johnson served in that office with dignity, honour and loyalty while carrying out numerous missions and responsibilities delegated to him by President Kennedy. Whatsoever his hand found to do, he did it with all his might.

The leadership of our country passed into the capable and experienced hands of President Johnson when President Kennedy succumbed to the assassin's lethal messenger. There was hope and assurance for America midst the sadness of the hour. His legislative, diplomatic, political and native abilities provided him with the experience and valuable knowledge peculiar to the Office of President of the United States, gained from his close association with Presidents Roosevelt, Truman, Eisenhower and as the "right arm" of President Kennedy, available to no other man on the American scene, to lead our country; and

WHEREAS, Among the many and varied proposals which became the law of the land during his administration are to be found greatly increased Federal Aid to Education, Medicare and Medicaid, the 1964 Civil Rights Act, the 1965 Voting Act, the War on Poverty, to mention some. While President Johnson's public service was fraught with controversy - a characteristic of strong-willed and determined, dedicated men - nevertheless, his noblest motive was the public good. It may be said of him that he made many friends and lost very few. He made many enemies of the right kind and kept them all. He said that he could not prescribe a formula for success, but that the formula for failure is to try to please everybody. His success was due, largely, to his constancy of purpose; and

WHEREAS, President Johnson, like former President Truman, was plagued by a foreign conflict during which he strove to preserve the integrity of our treaty commitment, negotiated by a former administration and affirmed by subsequent action of the Congress with the adoption of the "Gulf of Tonkin Resolution." He believed that if American reneged on her agreement it would imperil many other nations, and, consequently, jeopardize the peace of the world. He never wavered in his desire and efforts to bring about an honourable peace. President Johnson was, in his day, a muchly maligned man. He knew that blatant demagoguery and a scurrilous press must be tolerated and borne by patriots. Comfort, however, could be found in the words of General Washington who said that "Real patriots who resist the intrigues of the favorite, are liable to become suspected and odious; while its tools and dupes usurp the applause and confidence of the people to surrender their interests"; and

WHEREAS, President Johnson's courage and patriotism were never more genuinely demonstrated than when, on March 31, 1968, he offered himself a willing sacrifice to the good of his country hopefully to end the Vietnam War with his decision not to become a candidate for re-election; and

WHEREAS, His private virtues, his public services, his great abilities, involuntarily excite the warmest feelings for him. In all the private relations of life he was honest, faithful, generous and humane and his heart was the seat of manly virtue.

His public services were many - splendid and great. His memory is enshrined in the esteem and affection of his contemporaries and will be consecrated by the gratitude of his country to future ages; and

WHEREAS, He may have had failings. On these let the tear that pities human weakness fall; on these let the veil which covers human frailty rest, since posterity is incurious about the minor faults of its heroes; and

WHEREAS, President Johnson was married to Miss Claudia Alta Taylor, familiarly known as "Lady Bird" on November 17, 1934, to which union were born two charming daughters, Lynda, now Mrs. Charles S. Robb of Charlottesville, Virginia, and Luci, now Mrs. Patrick J. Nugent of Austin, Texas, both of whom gave joy and delight to their doting father. President Johnson not infrequently said that the charming, intelligent and understanding companionship of "Lady Bird" profoundly influenced his course and career; and

WHEREAS, He was beloved by his friends, endeared to his family; the statesman, the patriot, is gone. At the fall of such a man, grief is silent and eloquence mutes eulogiums which cannot be expressed. He has left us the remembrance of his greatness. As the gigantic figure that envelops men within the folds of his dark mantle, and even with the robe drawn about him, President Johnson seems so unshrouded that

"Nothing can cover his high fame but heaven;
No pyramids set off his memories
But the eternal substance of his greatness;
To which I leave him"; and

WHEREAS, This Concurrent Resolution was prepared at my request by Honorable Dorsey B. Hardeman, a former member of this body, a long-time member of the Senate and a friend of President and Mrs. Johnson for more than 30 years; now, therefore, be it

RESOLVED by the House of Representatives of the 63rd Legislature of the State of Texas, the Senate concurring, That they express their abiding sympathy to Mrs. Johnson and the surviving members of the family, and their admiration and gratitude for the life and contributions of the man whose simple dignity consisted not in possessing honours but in deserving them by his faith and his works through which he brought joy to his Creator; and, be it further

RESOLVED, That copies of this Resolution be forwarded to Mrs. Johnson and her daughters; to President Nixon and to all members of the Texas delegation in the Congress of the United States, by the Clerk of the House of Representatives, under the Seal of the House, and that the members of the House of Representatives and of the Senate devote this day to pious contemplation, suitable to the melancholy event which it commemorates and that pages in the respective Journals of each House of the 63rd Legislature of the State of Texas be set aside for preserving this Resolution in memory of President Johnson in the knowledge that men's homage and their love shall never cease to follow him.

The resolution was read.

On motion of Senator Herring, the resolution was considered immediately and was adopted by a rising vote of the Senate.